

REMARKS

Claims 1-24 are pending in the application.

Claims 1-24 have been rejected.

Claims 1, 9 and 20 have been amended as set forth herein.

Claims 1-24 remain pending in this application.

Reconsideration of the claims is respectfully requested.

CLAIM REJECTIONS -- 35 U.S.C. § 103

Claims 1-18 and 20-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0145979 to *Baj* (hereinafter “Baj”) in view of U.S. Patent No. 7,173,910 to *Goodman* (hereinafter “Goodman”). The Applicants respectfully traverse the rejection.

Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Baj in view of Goodman, and further in view of U.S. Patent Publication No. 2002/0114317 to *Dorenbosch, et al.* (hereinafter “Dorenbosch”). The Applicants respectfully traverse the rejection.

The Applicants respectfully submit that the cited references fail to teach or suggest all the claim elements of amended Claim 1. Specifically, Claim 1 has been amended to recite “wherein the test controller comprises a simulator that coordinates verification of a voice and a signaling functionality of the telecommunication device.”

The Office Action appears to suggest that the gatekeeper 14 of Baj reads on the claimed test controller and that the gateway 13b of Baj reads on the claimed telecommunication device. Paragraph [0039] of Baj, for example, states:

[0039] Referring to FIG. 3, a process 30 for testing voice quality of VoIP network 10 is shown. VoIP client 21 initially sends (31) a request to the destination phone 24 to establish a transmission path between the VoIP client 21 and destination phone 24. The request is routed by gatekeeper 14 and forwarded by gateway 13 to destination phone 24. (Emphasis added by the Applicants.)

The Applicants respectfully submit that the gatekeeper 14 of Baj does not comprises a simulator that coordinates verification of a voice and a signaling functionality of the gateway 13.

Similarly, the Applicants are unable to find any teaching or suggestion of a simulator that coordinates verification of a voice and a signaling functionality of the telecommunication device of Goodman.

In distinct contrast to Baj and Goodman, Paragraphs [0026] to [0027] of the Applicants' published application, for example, state:

[0026] The testing of telecommunication device 210 is performed by test controller 240. Test controller 240 includes a software simulator that coordinates the verification of both the voice and signaling functionality of telecommunication device 210. Test controller 240 has a signaling connection to telecommunication device 210 to send and receive signaling messages to and from telecommunication device 210 over a signaling path (indicated by the dotted line). For example, test controller 240 is configured to send a signaling message to device controller 220 within telecommunication device 210 that instructs device controller 220 to set-up a test call using one or more voice paths within switching fabric 230. As another example, test controller 240 is configured to receive a signaling message from device controller 220 within telecommunication device 210 indicating whether the attempted call set-up failed or succeeded. Thus, test controller 240 simulates the interface to telecommunication device 210 using the appropriate protocol for telecommunication device 210.

[0027] To test the functionality of telecommunication device 210, two Internet Protocol (IP) terminals 270 and 280 are used in place of expensive equipment, such as BTS, BSC and mobile stations of a mobile voice communication system. In an exemplary embodiment, IP terminals 270 and 280 are Session Initiation Protocol (SIP) phones. SIP is a signaling protocol for managing and terminating voice and

video sessions across packet networks, such as IP network 260. IP network 260 can be, for example, a local area network (LAN). As used herein, the term "SIP" refers to the standard published in the Internet Engineering Task Force (IETF) RFC 3261, June 2002, or later version.

Independent Claims 9 and 20 have been amended to recite limitations analogous to the novel limitations emphasized above in traversing the rejection of Claim 1 and, therefore, also are patentable over the cited references. Additionally, Claims 2-8, Claims 10-19 and Claims 21-24 depend from Claims 1, 9, and 20, respectively, and include all the limitations of their respective base claims. As such, Claims 2-8, 10-19, and 21-24 also are patentable over the cited references.

Accordingly, the Applicants respectfully request that the Examiner withdraw the § 103 rejections with respect to Claims 1-24.

CONCLUSION

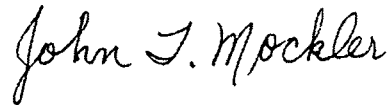
As a result of the foregoing, the Applicants assert that the remaining Claims in the Application are in condition for allowance, and respectfully request an early allowance of such Claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@munckcarter.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK CARTER, LLP



Date: 28 October 2009

John T. Mockler
Registration No. 39,775

P.O. Drawer 800889
Dallas, Texas 75380
(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: *jmockler@munckcarter.com*